REMARKS

By this Amendment, Applicants amend claims 1, 2, 45, and 49. Claims 1-3, 5, 18, 22-25, 27, 40, and 44-49 are pending.

It is respectfully submitted that the amendments to the claims do not introduce new matter into the application, nor do they raise new issues for search or consideration by the Examiner. Instead, the amendments and remarks herein were necessitated by the Examiner's new rejections, and are intended to clearly place the application into condition for allowance and/or substantially reduce the issues present on Appeal.

Rejection of Claims 45-49 Under 35 U.S.C. § 101

In the Office Action, the Examiner rejected claims 45-49 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants respectfully traverse this rejection.

It is the Examiner's position that claim 49 (claim 45) is not limited to tangible embodiments because of the recitation "signal-bearing medium" in line 3 thereof.

Applicants have carefully reviewed and amended the claims 45-49 to conform with 35 U.S.C. § 101. Accordingly, the Applicants respectfully submit that the claims 45-49 are directed to statutory subject matter and request that the rejection be withdrawn.

Rejection of Claims 1, 23 and 45 Under 35 U.S.C. § 112, First Paragraph

In the Office Action, the Examiner rejected claims 1, 23 and 45 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

The Examiner specifically identifies the phrase "a temporary image that indicates content that may be moved from the development environment to the production environment" as failing to comply with the written description requirement in claims 1, 23, and 45.

To the contrary, the specification repeats this concept multiple times. One such example is found on page 11, lines 7 through 16 of the originally filed application:

"During operation 563, a preview, a temporary image, of the proposed changes to the core data store is performed. The preview is accomplished through the distribution of views to selected users. After previewing the changes, the process moves to operation 564, where approval of the previewed changes is sought. Any change not approved in operation 564, is sent back for rework in operation 562. Approved changes move the process to operation 566 where the changes are added to the core data store. The pushing of the changes to the core data store is not destructive to any item currently in production as no production data is altered at this point.
Implementing approved changes in the core data store is the first step towards committing changes to a production environment."

Accordingly, it is respectfully submitted that all claims now present in the application are in compliance with 35 USC § 112, first paragraph, and the rejection with respect thereto should be withdrawn.

Rejection of Claims 1, 23 and 45 Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, the Examiner rejected claims 1, 23 and 45 under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject

matter which applicants regard as the invention. Applicants respectfully traverse this rejection.

Each instance of indefiniteness pointed out by the Examiner has been corrected with the exception of the language "wherein the development environment is separated from the production environment." It is believed that the Examiner's objects to the term "environment". This language has been used consistently throughout the specification and prosecution and will be understood by one of ordinary skill in the art as distinct data processing events for manipulation of data by the program(s). Oftentimes, there are simultaneous processes running and applicants have used the term "environment" to capture the concept of processing distinct but parallel events. It is submitted that Applicants are entitled to be his own lexicographer in this regard. One example of support for Applicants' selected recitation is found on page 9, lines 17-21 of the specification which reads:

"Figure 3 depicts an example of the content management environment of the invention. The content management environment 301 as shown in a preferred embodiment is separated from the production environment 302. This advantageous approach maintains focus on changing content within the content management environment 301 while avoiding unnecessary change in the production environment 302 and associated application 121.
The content management environment 301 contains components required for the pre-production activities involved in building the production data store 350."

Reconsideration and withdrawal of the objection under 35 U.S.C. § 112, second paragraph, is requested in view of the above.

Rejection Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 1-3, 5, 18, 22-25, 27, 40 and 44-49 under 35 U.S.C. § 103(a) as being unpatentable over *Tucker et al.* (U.S.

Publication Number 2004/0049598) in view of *Sawano et al.* (U.S. Publication Number 2001/0006391). Applicants respectfully traverse this rejection.

Claim 1 is directed to a method for editing content of a production data store comprising, *inter alia*, "generating a user view, for presentation to a user, from [a] modified shadow data store and [a] core data store, by combining content of said modified shadow data store with content of said core data store to produce a temporary image defining content available for propagation from [a] development environment to [a] production environment."

Tucker et al. disclose a content distribution system that utilizes caches. In particular *Tucker et al.* disclose that the content distribution system contains various servers connected in a network. (See *Tucker et al.*, Figures 3 and 4). *Tucker et al.* disclose that content accessible over the network may be maintained in an Internet Content Server or cached in a partially compressed form in another server such as a Web Server. (See *Tucker et al.*, ¶0035-0038). Once a user requests content, the content is either supplied from the Internet Content Server or from a cache in the Web Server. (*Tucker et al.*, ¶0035-0038). The compressed content stored in the Web Server's cache is never written back to the Internet Content Server. Instead, the cache is merely a redundant storage location for speeding up the delivery of the content to a user. (See *Tucker et al.*, Abstract). Therefore, *Tucker et al.* merely teach the use of caches to assist in the delivery of content and not "generating a user view, for presentation to a user, from [a] modified shadow data store with content of said core data store to produce a temporary image defining content available for propagation from [a] development environment to [a] production environment," as recited in claim 1.

The Examiner recognizes that *Tucker et al.* fail to disclose, "generating a user view, by combining content of the modified shadow data store with content of the core data store", which is displaying combined data to the user. Accordingly, *Sawano et al.* is introduced as supplying this missing teaching.

It will be appreciated from the present application that the core data store in a development environment is derived from replicating the production data store from a production environment, and the shadow data store is produced from a portion of the core data store within the development environment. In other words, the shadow data store will also be replicated data due to its derivation from the production data store.

It is respectfully submitted that *Sawano et al.* is simply an image creating device without any teaching or suggestion to first replicate an image prior to modifying the image. In other words, in *Sawano et al.*, the image is not replicated, just modified and viewed. Since the cut-out or modification of *Sawano et al.* is only applied to the original image, the limitation of the present invention in which there is a "core data store in the development environment" is absent.

It is further submitted that an absence of the very feature the Examiner is attempting to identify renders the reference of *Sawano et al.* non-combinable with the reference to *Tucker et al.*

Since *Tucker et al.* and *Sawano et al.* fail to teach or suggest at least "generating a user view, for presentation to a user, from said modified shadow data store and said core data store, by combining content of said modified shadow data store with content of said core data store to produce a temporary image defining content available for propagation from the development environment to the production environment", the

combination also fails to teach or disclose all the features recited in claim 1. Claims 2, 3, 5, 18 and 22 depend from claim 1, and thus, are also patentable over *Tucker et al.* and *Sawano et al.* for at least the same reasons described above as well as for their additional recitations.

Further, claim 23 is directed to a data processing system for editing content of a production data store comprising, *inter alia*, "generating means for generating a user view for presentation to a user, from [a] modified shadow data store and [a] core data store, by combining content of said modified shadow data store with content of said core data store to produce a temporary image defining content available for propagation from [a] development environment to [a] production environment."

Claim 45 is directed to an article for editing content of a production data store comprising, *inter alia*, "code means in the medium for generating a user view for presentation to a user, from [a] modified shadow data store and [a] core data store, by combining content of said modified shadow data store with content of said core data store to produce a temporary image defining content available for propagation from [a] development environment to [a] production environment."

Once again, *Sawano et al.* fail to provide the missing teachings of *Tucker et al.* as identified by the Examiner. Specifically, *Sawano et al.* fail to teach or suggest the replicating of an image prior to modifying the image. Instead, *Sawano et al.* merely modifies and views the original image. Accordingly, the limitation of the present invention in which there is a "core data store in the development environment" is absent and therefore does not overcome the deficiency of *Tucker et al.*

Accordingly, all claims should be considered patentable, and the rejection under

35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 09-0460.

Respectfully submitted,

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